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Peggy Ferello  
PEGGY FERELLO  
November 18, 2003  
DATE

Attorney Docket No. 1581/120

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Fotinos

Serial No.: 09/340,338

Group Art Unit No.: 1615

Filed: June 25, 1999

Examiner: Ware, Todd

For: A Device and Method for the Treatment of Erectile Dysfunction

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT  
UNDER 37 CFR 1.56**

Applicants herein make available to the Patent and Trademark Office copies of the references, listed on the included Form PTO-1449.

The Examiner is requested to consider carefully the complete text of these references in connection with the examination of this application. It is believed that the Examiner will concur with Applicant's belief that the foregoing references do not adversely affect the patentability of the subject matter presently claimed, taken alone or in combination.

It is requested that the listed references be included in the "References Cited" portion of any patent issuing from this application.

**(1) This Information Disclosure Statement is being filed:**

- ☐ within three months of the filing date of the patent application.
- ☐ within three months of the date of entry into the national stage as set forth in 37 CFR 1.491 of the international application.
- ☐ **before** the mailing date of a first Office Action on the merits.
- ☒ **after** the mailing date of the first Office Action on the merits, but **before** the mailing date of

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a Final Action under 37 CFR 1.113,  
a Notice of Allowance under 37 CFR 1.311, or  
an action that otherwise closes prosecution,

and is accompanied by either:

- ☐ the Statement under 37 CFR 1.97(e) (see "Statement" below), **or**  
☒ the fee under 37 CFR 1.17(p).

- ☐ **after** the mailing date of

a Final Action under 37 CFR 1.113,  
a Notice of Allowance under 37 CFR 1.311, or  
an action that otherwise closes prosecution,,

and is accompanied by both:

the Statement under 37 CFR 1.97(e) (see "Statement" below), **and**  
the fee under 37 CFR 1.17(p).

(2) **Statement**

- ☐ The **undersigned attorney** hereby states that each item information contained in the Supplemental Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign patent application not more than three months prior to the filing of the Supplemental Information Disclosure Statement. *(If this box is checked, do not check any further Statement boxes.)*

**or**

- ☐ The **person signing immediately below** hereby states that no item of information contained in the Supplemental Information Disclosure was cited in any communication from any foreign patent office in any counterpart foreign patent application or, to the knowledge of the person signing after making reasonable inquiry, was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the Supplemental Information Disclosure Statement.

*The person making the statement is:*

- ☐ the inventor(s) who sign(s) below:

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*Signature of the Inventor(s)*

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*Typed or Printed Name of the Inventor(s)*

**or**

☐ a person who is substantively involved in the preparation or prosecution of the application, and who is associated with the inventor(s), or with the assignee, or with anyone to whom there is an obligation to assign the application (37 CFR 1.565(c)) and who signs below:

\_\_\_\_\_  
*Signature of the Person(s)*

\_\_\_\_\_  
*Typed or Printed Name of the Person*

\_\_\_\_\_  
*Address of Person Signing*

or

- ☐ the undersigned attorney who signs on the basis of the information:
- ☐ supplied by the inventor(s).
  - ☐ supplied by an individual designated in 37 CFR 1.56(c).
  - ☐ in the attorney's file.

\_\_\_\_\_  
*Signature of the Attorney (4) Fees*

- ☐ No Fee is owed by the applicants.
- ☒ The IDS Fee of \$180.00 under 37 CFR 1.17(p) is enclosed herewith.

(5) **Method of Payment of Fees**

- ☐ Attached is a check in the amount of \$\_\_\_\_\_.
- ☒ Applicants hereby authorize the Commissioner to charge the \$180.00 IDS Fee to Deposit Account No. 04-0480.

(6) **Authorization to Charge Additional Fees**

- ☒ Applicants hereby authorize the Commissioner to charge any additional fees deemed required for consideration of this Paper to Deposit Account No. 04-0480.

A prompt and favorable response is earnestly solicited.

Respectfully submitted,



Allen Bloom

Registration No. 29,135

DECHERT LLP  
A Pennsylvania Limited Liability Partnership  
Princeton Pike Corporate Center  
PO Box 5218  
Princeton, New Jersey 08543-5218  
Phone: (609) 620-3214  
Fax: (609) 620-3259

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Substitute for form 1449/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

*(Use as many sheets as necessary)*

Sheet	1	of	1
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**Complete if Known**

Application Number	09/340,338
Filing Date	June 25, 1999
First Named Inventor	Fotinos
Art Unit	1615
Examiner Name	Ware, Todd
Attorney Docket Number	1581/120

## U. S. PATENT DOCUMENTS

[illegible]

## FOREIGN PATENT DOCUMENTS

[illegible]

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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